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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 998/2024 & I.A. 48310/2024**

KASHMIRI

.....Plaintiff

Through: Mr. Rahul Khokkar, Mr. Vikesh Rathi
and Mr. Ankit Sharma, Advocates

versus

SUBHASH AND ORS.

.....Defendants

Through: Mr. Javed Alvi, Advocate

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **16.12.2024**

I.A. 48311/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CS(OS) 998/2024

3. The instant suit has been filed on behalf of the plaintiff against the defendants seeking following reliefs:

“(a) pass a preliminary and final decree of partition among the plaintiff and defendants in respect of the suit property i.e. land of khata no. 29 in khasra no. 20/17, 23/1, 23/2, 24/4, 24/5, 24/6/2, 24/7, 42/22, 42/23 situated in the revenue state of Akbarpur Majra to be done by metes and bounds.

(b) Pass a Decree of permanent injunction , thereby restraining the defendants his, agents, associates, attorneys, legal heirs, servants etc. jointly and severally from disposing off, selling, alienating mortgaging, creating any third party interest or part with possession and also not to dispossess the



plaintiff from the suit property no. Land of khatta no.29 in khasra no. 20/17, 23/1, 23/2, 24/4, 24/5, 24/6/2, 24/7, 42/22, 42/23 situated in the revenue state of akbarrpur Majra, Delhi.”

4. This Court has gone through the documents which have been placed on record.
5. Let the plaint be registered as a suit.
6. Issue summons of the suit and notice of the application to the defendants.
7. Mr. Javed Alvi, the learned counsel appearing for the defendants accepts notice and states that a legible and clear copy of the plaint and accompanying documents be provided to him. Let the legible copy of the plaint and accompanying documents be provided to learned counsel for the defendants.
8. Learned counsel for the defendants shall file the written statement(s) to the plaint positively within a period of 30 days alongwith affidavit(s) of admission/denial of documents without which the written statement(s) shall not be taken on record.
9. Liberty is granted to the plaintiff to file the replication within a period of 15 days of the receipt of the written statement(s). Along with replication, if any, filed by the plaintiff, the affidavit(s) of admission/denial of documents of the defendant(s) shall be filed by the plaintiff.
10. List on 14.01.2025.
11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

DECEMBER 16, 2024/ns

[Click here to check corrigendum, if any](#)